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SUBJECT: JASPER TSANG: HOW MUCH COURAGE IN HIS CONVICTIONS,  
HOW MUCH INFLUENCE IN BEIJING?

REF: (A) HONG KONG 383 (B) HONG KONG 112

Classified By: Consul General Joe Donovan for reasons 1.4 (b) and (d)

11. (C) Summary: People across the political spectrum in Hong Kong acknowledge Legislative Council (LegCo) President Jasper Tsang Yok-sing as a man of ideas and integrity. Despite concern about his still-unacknowledged status as a Communist Party member, Tsang has proven he can run LegCo fairly, has maintained his own neutrality, and has stood up for the institution even when doing so meant opposing the Hong Kong government. Where observers differ is in their estimation of what Tsang's public musings on issues like democracy will actually amount to as Hong Kong turns to its next stage of constitutional reform later this year.

12. (C) Summary (continued): This analytical report addresses several unanswered questions regarding who is speaking when LegCo President Jasper Tsang talks. Do Tsang's recent calls for a truly free election for Chief Executive and for Beijing to accept that a democrat may win represent his own convictions, a trial balloon by Beijing, or a cynical attempt to polish Tsang's credentials as a statesman? If Tsang speaks from the heart, can he bring Beijing around to his way of thinking, or will he be walked back as he and the party he founded, the Democratic Alliance for the Betterment of Hong Kong, have been walked back over successive target dates for universal suffrage? The short answer: to date, Tsang has been impressive and adroit. He enjoys influence and respect in Beijing and credibility in Hong Kong, including among the pro-democracy camp. That said, he alone will not be able to convince Beijing to embrace unfettered democracy for Hong Kong. We also believe Beijing will work to ensure it is not dependent on any one center of political power and influence in Hong Kong electoral politics, thus diluting Tsang's personal influence. End summary.

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Conscience of a Communist?  
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13. (C) Though he recently told the Consul General the idea he would become the President of the Legislative Council (LegCo) came up only after the 2008 LegCo campaign was almost half over, no one else ever seemed to doubt Jasper Tsang would get the job. In what appeared to be a transfer of responsibilities choreographed by Beijing, Rita Fan announced she would stand down from the LegCo Presidency following her elevation to the National People's Congress (NPC) Standing Committee, while Jasper Tsang moved from his former Kowloon West stronghold to Hong Kong Island (Fan's geographic constituency) to head the DAB's ticket. As expected, Tsang easily retained his seat and defeated the Democratic Party's (DPHK) Fred Li for the LegCo presidency, winning 36 of 60 votes. He then resigned his seat as a "non-official" member of the Executive Council (ExCo), later to be replaced by fellow Democratic Alliance for the Betterment of Hong Kong (DAB) member Lau Kong-wah.

¶4. (C) Two squalls, since dissipated, threatened Tsang's smooth sail into power. The first was that Tsang, the leader in name if not title of the DAB, suggested he might break the scrupulously neutral and non-partisan Rita Fan's tradition of neither speaking nor voting on issues before the Council. Although he "reserved his membership in the DAB," Tsang eventually pledged to observe both traditions, and has done so. Tsang later told the Consul General he intended merely to "float" ideas about his role to start a discussion.

¶5. (C) The second squall was Tsang's long-assumed but never-admitted status as a Chinese Communist Party member. Radical League of Social Democrats lawmaker "Long Hair" Leung Kwok-hung asked Tsang point-blank during a LegCo forum to confirm or deny his membership; Tsang demurred. Tsang told the media he has consistently declined to answer the question because "Hong Kong people's attitude to the concept of the Communist Party is very negative." Even the DAB's Lau made (and then retracted) the argument that Tsang should clarify the issue, not least because the DAB does not allow dual membership. Influential (and pro-democratic) South China Morning Post (SCMP) columnist Chris Yeung rose to Tsang's defense, calling on Hong Kong people to judge Tsang by his deeds rather than this question (to which, he implied, we all already know the answer). In the end, even Long Hair allowed that LegCo had more urgent issues than this, although he called upon Tsang himself to come clean.

¶6. (C) Perhaps the signal test of Tsang's commitment to LegCo over his party's pro-government orientation arose when independent Regina Ip challenged the government by moving an amendment which would have permanently eliminated the levy on foreign domestic workers -- a politically popular issue among middle class voters (ref B). The government issued a legal finding that Ip's amendment exceeded LegCo's extremely limited scope of power to initiate legislation without government approval. LegCo's own legal experts disagreed, and Tsang put his signature to a detailed ruling which allowed Ip's amendment to proceed. Pro-government forces, including Tsang's own DAB, voted the bill down, but Tsang set an important precedent for the legislature and established himself as the body's impartial leader and arbiter.

¶7. (C) Inter alia, Tsang has demonstrated previously he is willing to put principle ahead of his pro-Beijing loyalties. He joined pan-democrats, fellow DAB stalwarts Ma Lik and Choy So-yuk, and then-Liberal Party Chairman James Tien (also known for opposing the establishment when his conscience dictates) in signing a 2006 petition to Hu Jintao and Wen Jiabao calling for Beijing to release then-detained journalist Ching Cheong should authorities determine Ching had not jeopardized state security. Similarly, in 2007 Tsang mulled the end of functional constituencies in an interview with Ming Pao, arguing those thirty LegCo seats could be replaced by a party-list vote system (one person, two votes).

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Democracy with Jasper's Characteristics  
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¶8. (C) Having recused himself from discussing issues on the LegCo docket, Tsang returned to a media spotlight in February with his views on democratic reform. He told centrist Sing Tao (the neutral venue of choice for the two political sides to air views to audiences outside their own camp) that Beijing should allow democrats to run in, and accept they might win, 2017's anticipated elections by universal suffrage for the Chief Executive. The respected centrist Hong Kong Economic Journal (HKEJ) picked up the story in the days that followed, quoting Tsang and fellow DAB leader Ip Kwok-him reiterating these points. In its coverage, however, HKEJ reminded readers that Tsang told the paper in 2007 that a screening process for CE candidates was necessary to prevent the election of a candidate Beijing would then feel compelled to reject. Suggesting "that was then, this is now," Tsang was quoted in a feature interview in SCMP as urging Beijing and the Hong Kong government to embrace "the Obama spirit" of

change.

¶9. (C) In the following weeks, Federation of Trade Unions (FTU) Chairman and ExCo member Cheng Yiu-tong, while speaking with the press, joined Tsang and Ip in supporting a free and open race for Chief Executive. Cheng then went further, suggesting to HKEJ that, in their deliberations regarding 2012, LegCo and the government will have to discuss at least the principles of the elections in 2016, 2017 and 2020. This argument, long a bone of contention raised by the pan-democratic camp, was almost a shot across the government's bow. The government has previously insisted this administration will only consider reforms for 2012, leaving discussions of later elections to its successors. Since Tsang and Cheng's remarks, however, the government's language has been slightly less absolute.

¶10. (C) Tsang reached the far edge of the envelope in a February 24 speech to Shue Yan University students in which, while he allowed that the "truth of what happened in Tiananmen Square is still unclear," he said the violent repression of the students was "wrong". "China is moving toward an open and democratic society. A democratic and civilized society will do final justice to June 4." That said, he argued to a Federation of Youth Groups audience April 27 that, although Deng Xiaoping had ordered the army to open fire on the students, Deng was nevertheless a great leader of China.

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Talk is Cheap  
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¶11. (C) As Tsang's remarks on universal suffrage elections were being analyzed in the press, we asked a range of contacts across the political spectrum for their views on whether Tsang was floating a trial balloon at Beijing's request or staking out territory on his own to see if he could bring Beijing along. On the democratic side, the median response reflected a respect for Tsang personally but uncertainty to outright dismissal that his proposals would be blessed by Beijing as policy. The Civic Party's Tanya Chan told us she takes Tsang seriously, but could not say what support might exist for his ideas in his party or in Beijing. DPHK strategist Law Chi-kwong was uncharacteristically reluctant to speculate on whether Tsang or Beijing was driving the discussion. Noting that the DAB itself has told the DPHK that Tsang had the closest relationship with Beijing of any DAB leader, Law surmised there must be some understanding between the two.

¶12. (C) DPHK Chairman Albert Ho and senior legislator Fred Li told the Consul General that, as of late February, Ip Kwok-him was already starting to walk back some of Tsang's points. While not speaking ill of Tsang personally, DPHK Vice Chair Emily Lau and Hong Kong Human Rights Monitor chief Law Yuk-kai dismiss any DAB democratic initiatives out of hand. They pointed out that while the DAB successively embraced both the 2007/2008 and then 2012 target dates for universal suffrage elections in their electoral campaigns, they inevitably abandoned those positions when Beijing rejected them.

¶13. (C) Academic and media reactions have diverged broadly. Chinese University scholar Ivan Choy believes Tsang to be smart, sincere, and not doctrinaire. That said, Choy also believes he is obliged at times to support positions at Beijing's request. Hong Kong Transition Project chief Michael DeGolyer believes Tsang is probably pushing Beijing more on this issue than the other way around. Noting that Beijing has yet to walk Tsang back, DeGolyer thinks it possible that, even though Beijing might not agree, it can let Tsang score points by taking a popular position without actually giving away anything concrete.

¶14. (C) In its coverage of Tsang's proposals, HKEJ expressed the view that Tsang must be floating Beijing's balloon. SCMP's Chris Yeung wrote several columns supportive of Tsang,

albeit with an air of trying to put some momentum behind an idea Yeung hoped would come to fruition. Meanwhile, pro-Beijing stalwart Ta Kong Pao warned Tsang to "think thrice" before expressing his "personal views", since people might mistakenly assume he was speaking for Beijing and because opposition politicians were already twisting his words to their own ends.

¶15. (C) DAB's reaction was also mixed. As noted, Ip Kwok-him and Cheng Yiu-tong have put themselves on record with Tsang. Asked by the media, DAB Chairman Tam Yiu-chung noted that Tsang was expressing his personal views and, to underscore the point, reported the DAB itself had not held any recent internal discussions on these topics. Young DAB Chairman (and now DAB Party Vice Chairman) Horace Cheung identified Tsang's philosophy on democracy with the trend among younger members of the DAB, specifically himself and legislator Starry Lee (Tsang's protege). In an election in which universal suffrage is not an issue, Cheung told us, each side has to run on its political program, and the DAB will win on the merits.

¶16. (C) As noted, we have not detected any particular signals from Beijing on Tsang's various comments, but we do not take silence for assent to anything other than Tsang talking. If not the most popular politician with Hong Kong voters, Tsang is widely viewed as one with considerable entree in Beijing. Retired DPHK legislator Martin Lee has told us in the past Tsang told Beijing that, without some concession on universal suffrage from the central government, DAB's electoral position would become untenable; Beijing issued its universal suffrage "timetable" shortly thereafter. Tsang himself told the Consul General that he and Chief Executive Donald Tsang are continually negotiating behind the scenes with Beijing, and in particular seeking to mitigate Beijing initiatives that would provoke concern in Hong Kong.

¶17. (C) That said, Tsang's influence is finite, and we doubt he could walk Beijing back on a policy to which the central government was committed. In addition, veteran political observer (and former LegCo and NPC member) Allen Lee told us shortly after the 2008 LegCo elections that Beijing is leery of putting all its political eggs in the DAB basket. For that reason, Lee argues, Beijing is looking for like-minded "independents" like new LegCo member Priscilla Leung to give it a broader range of supporters not immediately identifiable with its traditional camp. In that respect, the recent amicable split of the FTU into an independent political entity distinct from the DAB suits Beijing's strategy.

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Jasper on Jasper  
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¶18. (C) In his most recent conversation with the Consul General April 21, Tsang noted that Beijing does not want to find itself in a scenario in which a CE election occurs but produces a candidate the central government finds unacceptable and thus declines to approve (as required under the Basic Law.) He also suggested that a number of vested interests wanted to see some form of functional constituencies remain. This more sober view of the prospects for democratic evolution has not appeared in the media. This apparent retreat, which returns him to a position the press reported him as holding in the past, may be an indicator that Beijing has finally responded to Tsang, and told him to tone his remarks down.

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